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DEC 23 2005

DATE: December 23, 2005

PTO IDENTIFIER: Application Number 09/975,253-Conf. #8837

Patent Number

Inventor: Moore et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: HUMAN GENOME SCIENCES, INC.

Mark J. Hyman

PHONE: (240) 314-1224

Attorney Dkt. #: PF196P1

PAGES (Including Cover Sheet): 18

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**HUMAN GENOME SCIENCES, INC.**Intellectual Property Dept., 14200 Shady Grove Road, Rockville, Maryland 20850  
Telephone: 240-314-4400 Facsimile: 301-309-8439

PTO/SB/97 (09-04)

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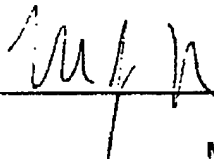
Application No. (if known): 09/975,253

Attorney Docket No.: PF196P1

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46,789

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Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Notice of Appeal (1 page)

Processing Fee Transmittal charging \$130.00 to deposit account (1 page)

Request to Correct Inventorship in a Patent Application Under 37 C.F.R. §

1.48(a)(1) (2 pages)

Statement of Craig A. Rosen Under 37 C.F.R. § 1.48(a)(2) (1 page)

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Statement of Human Genome Sciences, Inc. Under 37 C.F.R. §§ 3.73 and

1.48(a)(5) (2 pages)

Statement of Johns Hopkins University Under 37 C.F.R. §§ 3.73 and

1.48(a)(5) (2 pages)

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<b>PROCESSING FEE</b> <b>Under 37 CFR 1.17(i)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)  Send completed form to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/975,253-Conf. #8837
	Filing Date	October 12, 2001
	First Named Inventor	Paul A. Moore
	Art Unit	1647
	Examiner Name	S. L. Wegert
	Attorney Docket Number	PF196P1

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DEC 23 2005

Enclosed is a paper filed under 37 CFR \_\_\_\_\_ 1.48 that requires a processing fee (37 CFR 1.17(i)).  
 Payment of \$ 130.00 is enclosed.  
 This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of patent fees under 37 CFR 1.17(i), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the processing fees)

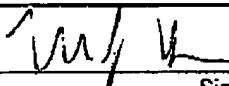
- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 08-3425 :  
☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.  
☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.  
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**Processing Fees under 37 CFR 1.17(i): Fee \$130**

**Fee Code 1808 for all,  
 Except for \$1.221 papers (Fee Code 1803)**

For papers filed under

- § 1.28(e)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.  
 § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.  
 § 1.48 - for correcting inventorship, except in provisional applications.  
 § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.  
 § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).  
 § 1.55 - for entry of late priority papers.  
 § 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods.  
 § 1.99(e) - for processing a belated submission under § 1.89.  
 § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).  
 § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).  
 § 1.103(d) - for requesting deferred examination of an application.  
 § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.  
 § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**  
 § 1.281(e)(5) - for processing a second or subsequent protest by the same real party in interest.  
 § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.  
 § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

  
 \_\_\_\_\_  
 Signature  
 Mark J. Hyman  
 Typed or printed name  
 December 23, 2005  
 \_\_\_\_\_  
 Date  
 46,789  
 Registration No., if applicable

12/27/2005 TL0111 00000057 083425 09975253  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Moore et al.

Docket No.: PF196P1

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U.S. Patent Application No.: 09/975,253

Conf. No.: 8834

**DEC 23 2005**

Filed: October 12, 2001

Art Unit: 1647

Title: Methods and Compositions for Treating  
and Preventing Infection Using Human  
Interferon Regulatory Factor 3

Examiner: S. Wegert

**REQUEST TO CORRECT INVENTORSHIP IN A PATENT  
UNDER 37 C.F.R. § 1.48(a)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby request to correct inventorship in the above-captioned nonprovisional patent application for which an oath or declaration has already been filed. Specifically, applicants request to change the inventorship in this patent from Paul A. Moore, and Paula Pirha to Paul A. Moore, Paula Pirha, and Craig A. Rosen.


This request to correct inventorship is accompanied by:

- (1) A statement from each person to be added as an inventor that the inventorship error occurred without any deceptive intention on his or her part;
- (2) An oath or declaration by the actual inventor or inventors as required by 37 C.F.R. § 1.63 or as permitted by 37 C.F.R. §§ 1.42, 1.43 or § 1.47, with a Supplemental Application Data Sheet;
- (3) A written consent of the assignee or assignees of the originally named inventors; and
- (4) The fee set forth in 37 C.F.R. § 1.17(i).

If any further action by Applicants is required, please call the undersigned at the phone number provided below. If there are any additional fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425.

Dated: December 23, 2005

Respectfully submitted,

By   
Mark J. Hyman  
Registration No.: 46,789  
HUMAN GENOME SCIENCES, INC.  
14200 Shady Grove Road  
Rockville, Maryland 20850  
(240) 314-1224

MJH/KC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Moore et al.

Docket No.: PF196P1

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Application No.: 09/975,253

Confirmation No.: 8837 **DEC 23 2005**

Filed: October 12, 2001

Art Unit: 1647

For: Methods and Compositions for Treating and  
Preventing Infection Using Human Interferon  
Regulatory Factor 3

Examiner: S. L. Wegert

**STATEMENT OF CRAIG A. ROSEN UNDER 37 C.F.R. § 1.48(a)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I was erroneously omitted as an inventor of the above-captioned patent application.  
This error in inventorship occurred without any deceptive intention on my part.

Date:

4/4/05  
\_\_\_\_\_  
Craig A. Rosen

22400 Rolling Hill Lane  
Laytonsville, MD 20882

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Moore et al.

Docket No.: PF196P1

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**DEC 23 2005**

Application No.: 09/975,253

Confirmation No.: 8837

Filed: October 12, 2001

Art Unit: 1647

For: Methods and Compositions for Treating and  
Preventing Infection Using Human Interferon  
Regulatory Factor 3

Examiner: S. L. Wegert

**STATEMENT OF HUMAN GENOME SCIENCES, INC.**  
**UNDER 37 C.F.R. §§ 3.73 AND 1.48(a)(5)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Statement Under 37 C.F.R. § 3.73**

Human Genome Sciences, Inc. ("HGS"), organized and existing under the laws of the State of Delaware, having its principal place of business at 14200 Shady Grove Road, Rockville, Maryland 20850, states that it is an assignee of record of less than the entire right, title and interest for the above-identified patent application by virtue of an assignment from inventor Moore recorded in the U.S. Patent and Trademark Office on March 27, 2002 at Reel 012742, Frame 0673. The extent (by percentage) of HGS' ownership is 50% (1 of 2 inventors). Once the request to correct inventorship submitted herewith is granted, HGS will remain an assignee of less than the entire right, title and interest for the above-identified patent application; the extent (by percentage) of its ownership will be 66.67% (2 of 3 inventors).

The undersigned, whose title is supplied below, is empowered to sign this document on behalf of HGS.

**Statement Under 37 C.F.R. § 1.48(a)(5)**

In accordance with the Request to Correct Inventorship submitted herewith, HGS agrees to the proposed change of inventorship adding Craig A. Rosen as an inventor of the above-captioned patent

For: Human Genome Sciences, Inc

Signature: James H. Davis

Name: James H. Davis, Ph.D.

Title: Executive Vice President and General Counsel

Date: April 4, 2005



4021

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Moore et al.

Docket No.: PF196P1

**RECEIVED  
CENTRAL FAX CENTER**

Application No.: 09/975,253

Confirmation No.: 8837

**DEC 23 2005**

Filed: October 12, 2001

Art Unit: 1647

For: Methods and Compositions for Treating and  
Preventing Infection Using Human Interferon  
Regulatory Factor 3

Examiner: S. L. Wegert

**STATEMENT OF JOHNS HOPKINS UNIVERSITY  
UNDER 37 C.F.R. §§ 3.73 AND 1.48(a)(5)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

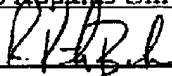
**Statement Under 37 C.F.R. § 3.73**

Johns Hopkins University ("JHU") states that it is an assignee of record of less than the entire right, title and interest for the above-identified patent application by virtue of an assignment from inventor Pitha recorded in the U.S. Patent and Trademark Office on March 27, 2002 at Reel 012742, Frame 0469. The extent (by percentage) of JHU's ownership is 50% (1 of 2 inventors). Once the request to correct inventorship submitted herewith is granted, JHU will remain an assignee of less than the entire right, title and interest for the above-identified patent application; the extent (by percentage) of its ownership will be 33.33% (1 of 3 inventors).

The undersigned, whose title is supplied below, is empowered to sign this document on behalf of JHU.

**Statement Under 37 C.F.R. § 1.48(a)(5)**

In accordance with the Request to Correct Inventorship submitted herewith, JHU agrees to the proposed change of inventorship adding Craig A. Rosen as an inventor of the above-captioned patent

For: Johns Hopkins UniversitySignature: Name: R. Keith Baker, Ph.D.  
Sr. Director, Technology Licensing

Title: \_\_\_\_\_

Date: 4/22/05